

PATENT APPLICATION  
Docket No.: 7927.90

LAW OFFICES OF  
**KIRTON & McCONKIE**  
A PROFESSIONAL CORPORATION  
1800 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
P.O. BOX 45120  
SALT LAKE CITY, UTAH 84145-0120

MICHAEL F. KRIEGER  
REGISTERED PATENT ATTORNEY

FAX (801) 321-4893

TELEPHONE (801) 328-3600

**RECEIVED**  
E-Mail: mkrieger@kmlaw.com

DEC 15 1999  
Group 2700



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- X Form PTO-1449 list of six (6) references submitted for consideration.
- X Legible copies of the listed references or their relevant portions.
- All English translations of each nonenglish reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.

RECEIVED  
DEC 15 1999  
Group 2700

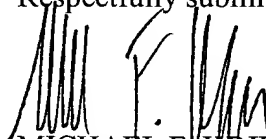
- Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- Promptness Certification.
- Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ constituting submission fee -- see 37 C.F.R. 1.17(p)
- Petition for Consideration and Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ -- see 37 C.F.R. 1.17(i)(1).
- In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 500843 of the undersigned.

Dated this 9<sup>th</sup> day of December, 1999.

Respectfully submitted,

  
MICHAEL F. KRIEGER  
Attorney for Applicant  
Registration No. 35,232

KIRTON & McCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 321-4814



PATENT APPLICATION  
Docket No: 7927.90

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED** #5-  
DEC 15 1999 2-28-0

In re application of

JAMES B. LOVELAND

Serial No.: 09/386,270

Filed: AUGUST 31, 1999

For: GRAPHICAL METHOD AND SYSTEM FOR  
MODELING AND ESTIMATING CONSTRUCTION )  
PARAMETERS )

Group 2700

) ART UNIT  
) 2772

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.


Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Dated this 9<sup>th</sup> day of December, 1999.

Respectfully submitted,

  
MICHAEL H. KRIEGER  
Attorney for Applicant  
Registration No. 35,232

KIRTON & McCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84145  
Telephone: (801) 321-4814  
Facsimile: (801) 321-4893



GAU 2772  
2776

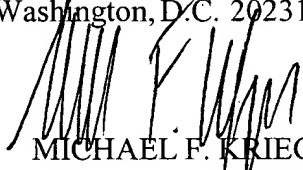
PATENT APPLICATION RECEIVED  
Docket No: 7927.90-1  
DEC 15 1999  
Group 2700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
JAMES B. LOVELAND )  
Serial No.: 09/386,270 ) ART UNIT  
Filed: AUGUST 31, 1999 ) 2772  
For: GRAPHICAL METHOD AND SYSTEM FOR )  
MODELING AND ESTIMATING CONSTRUCTION )  
PARAMETERS )

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on December 9, 1999.

  
MICHAEL F. KRIEGER  
Attorney for Applicant  
Registration No. 35,232

KIRTON & McCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 321-4814  
Facsimile: (801) 321-4893

Transmitted: Transmittal for Information  
Disclosure Statement  
Information Disclosure Statement  
Form PTO-1449 Listing of All References  
Legible Copies of All References Listed

MFK:tka  
Enclosures  
Docket: 7927.90  
W:\7500\7927\0090\lkaidsgen.wpd